THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION .No.7923 OF 2003

Date:17.08.2006

Ch.U.K.Kumar.

----------Petitioner

The State of A.P. and another.

----------Respondents

ORDER:

Though the W.P.M.Ps are listed, with the consent of the learned counsel for the parties, the main Writ Petition itself is being disposed of.

The petitioner, who is working as a Deputy Executive Engineer in the A.P. State Housing Corporation at Visakhapatnam, has filed this Writ Petition questioning the order, dated 26.04.2003, passed by the first respondent, transferring him from Visakhapatnam to Srikakulam District.

The only ground urged by the learned counsel for the petitioner is that as the petitioner's son was not feeling well and having regard to the medical facilities available at Visakhapatnam, his case was considered in the counseling that was conducted in the month of July, 2002 and that he was transferred from Hyderabad to Visakhapatnam vide proceedings, dated 15.07.2002. However, it is submitted that without there being any administrative exigency, through the impugned order, dated 26.04.2003, within a short span of eight months, again the petitioner is transferred to Srikakulam. It is further submitted that there are no reasons at all to transfer the petitioner from Visakhapatnam without counseling.

A reading of the impugned order discloses that the same has been passed having regard to the administrative exigencies in the District. Transfer is an incidence of service and there is no hard and fast rule that one should be retained for a particular time at a particular Station. If the petitioner is having any grievance, it is open for him to make a representation to the respondents. But, however, the same is not a ground to interfere with the impugned order of transfer in this Writ Petition filed under Article 226 of the Constitution of India.

The Writ Petition is devoid of merits and is accordingly dismissed. However, it is made clear that if the petitioner is having any grievance with regard to the Station, to which he is now transferred, it is open for him to file a representation and it is equally open for the respondents to consider the same and pass appropriate orders. There shall be no order as to costs.

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R.SUBHASH REDDY, J

17.08.2006
JSU

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